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**22141 U.S. PTO
10/779681**



Date: February 18, 2004

Docket No.: 2658-0316P

MS PATENT APPLICATION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

This is a Request for filing a ☒ continuation ☐ divisional
☐ continuation-in-part application under 37 C.F.R. § 1.53(b) of
pending prior Application No. 09/908,807 filed on July 20, 2001,
the entire contents of which are hereby incorporated by
reference,
by

Jin Yong KIM

for

RECORDING MEDIUM HAVING SUBSTRATE WITH THICKNESS DEPENDENT ON
NUMERICAL APERTURE OF OBJECT LENS, METHOD OF FORMING THE OPTICAL
MEDIUM AND OPTICAL RECORDING/REPRODUCING APPARATUS

1. ☒ Enclosed is an application consisting of specification,
claims, declaration and drawings/photographs (if
applicable).

2. ☒ The filing fee has been calculated as follows:

			LARGE ENTITY	SMALL ENTITY
BASIC FEE			\$770.00	\$385.00
	NUMBER FILED	NUMBER EXTRA	RATE FEE	RATE FEE
TOTAL CLAIMS	27-20 =	7	x 18 = \$126.00	x 9 = \$0.00
INDEPENDENT CLAIMS	6-3 =	3	x 86 = \$258.00	x 43 = \$0.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$290.00	+ \$145.00
TOTAL			\$1,154.00	\$0.00

3. ☒ A check in the amount of \$1,154.00 to cover the filing fee and recording fee (if applicable) is enclosed.
4. ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.
5. ☒ Enclosed is/are four (4) sheet(s) of formal drawings and/or photographs.
- 6a. ☐ A statement claiming small entity status was filed in prior Application No. 09/908,807 on _____. See the attached copy of the statement claiming small entity status.
- 6b. ☐ The current application qualifies for small entity status.
7. ☒ The prior application is assigned to LG Electronics, Inc., Seoul, Korea.
8. ☐ A Preliminary Amendment is enclosed.
- 9a. ☒ Priority of Application No(s). P98-23005 and P98-63381 filed in Korea on June 18, 1998 and December 31, 1998, respectively is/are claimed under 35 U.S.C. § 119. See attached copy of the Letter claiming priority filed in the prior application on June 17, 1999.
- 9b. ☐ Priority of International Appln. _____ filed on _____ under the Patent Cooperation Treaty and _____

Application No. _____ filed in _____ on _____ under 35 U.S.C. § 120 and/or § 119 are hereby reclaimed.

10. ☒ An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.

11. ☒ Address all future communications to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP
P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

or

Customer No. 02292

12. ☐ An extension of time for _____ () month(s) until _____ has been submitted in parent Application No. 09/908,807 in order to establish co-pendency with the present application.

13. ☐ Also enclosed herewith is the following:

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By James T. Eller, Jr. #41,458
James T. Eller, Jr., #39,538

JTE/PLS:jls
2658-0316P

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Attachment(s)